IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE CIVIL JURISDICTION

**WRIT PETITION NO.3399 OF 2005**

Pimpri Chinchwad Mahanagarpalika Karmachari Mahasangh ).. Petitioner

Versus

Pimpri Chinchwad Municipal Corpn. & ors.).. Respondents

Mr.Bhavesh Parmar for the Petitioner.

Mr.N.V. Walawalkar for Respondent No.1.

**CORAM: SMT.NISHITA MHATRE, J.**

**DATED: 8TH SEPTEMBER 2005**

**P.C.:**

. The Petitioner contends that the order of the Industrial Court, Pune is faulty and needs to be modified because an advertisement has been issued by Respondent No.1 Corporation for the appointment of Nurses as temporary employees. According to the learned Advocate for the Petitioner, the Nurses who the Petitioner Union represents have been in service for long as a temporary employees and have not been made permanent. A Complaint under Items 6 and 9 of Schedule IV of the Maharashtra Recognition of Trade Unions and Prevention of Unfair Labour Practices Act, 1971 was therefore filed by the Petitioner on behalf of the Nurses. He submits that these Nurses whose names are enlisted in the Annexure to

the Complaint should be given priority not just in leave vacancy as directed by the Industrial Court but also in a clear vacancy. The Industrial Court has already protected the Nurses in respect of the claim against a leave vacancy. Any appointments made pursuant to the advertisement against a clear vacancy will be subject to the result of the Complaint. Writ Petition disposed of accordingly.